

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Connie Ann Cummings**

S.S. No.: xxx-xx-1879

Mailing Address: 14 Kandes Court, Durham, NC 27713-

**Case No. 10-82119**

Debtor.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on November 19, 2010.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 17, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtor  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

<b>CH. 13 PLAN - DEBTS SHEET</b> (MIDDLE DISTRICT - DESARDI VERSION)					Date: <b>9/28/10</b>		
					Lastname-SS#: <b>Cummings-1879</b>		
<b>Retain</b>	RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN			SURRENDER COLLATERAL			
	Creditor Name	Sch D #	Description of Collateral	Creditor Name	Description of Collateral		
	Group Financial		Microscope	Green Tree	Mobile Home		
	US Cellular		Cell Phone				
	Ticon Properties		Office Lease				
	Joel USA, Inc.		Equipment Lease				
<b>Retain</b>	ARREARAGE CLAIMS				REFLECTED EXECUTORY CONTRACTS/LEASES		
	Creditor Name	Sch D #	Arrearage Amount	(See †)	Creditor Name	Description of Collateral	
				**	Ladco Leasing	Business Equipment	
				**	Olympus America	Business Equipment	
				**			
				**			
				**			
	Wells Fargo	1	\$8,835	**			
			**				
			**				
			**				
<b>LTD - DOT ON PRINCIPAL RESIDENCE &amp; OTHER LONG TERM DEBTS</b>							
<b>Retain</b>	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Wells Fargo	1	\$1,767	N/A	n/a	\$1,767.00	House and Land
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
<b>STD - SECURED DEBTS - a FMV</b>							
<b>Retain</b>	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Greentree	1	\$0	5.00	\$0	\$0.00	House and Land
				5.00			
				5.00			
				5.00			
<b>STD - SECURED DEBTS - a 100%</b>							
<b>Retain</b>	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	GMAC	7	\$16,567	5.00	\$150	\$345.17	2010 Chevrolet Cobalt
				5.00			
				5.00			
				5.00			
				5.00			
<b>ATTORNEY FEE (Unpaid part)</b>		<b>Amount</b>					
Law Offices of John T. Orcutt, P.C.		<b>\$2,800</b>					
<b>SECURED TAXES</b>		<b>Secured Amt</b>					
IRS Tax Liens							
Real Property Taxes on Retained Realty							
<b>UNSECURED PRIORITY DEBTS</b>		<b>Amount</b>					
IRS Taxes		<b>\$726</b>					
State Taxes							
Personal Property Taxes		<b>\$5,876</b>					
Alimony or Child Support Arrearage							
<b>CO-SIGN PROTECT (Pay 100%)</b>		<b>Int. %</b>	<b>Payoff Amt</b>				
All Co-Sign Protect Debts (See*)							
<b>GENERAL NON-PRIORITY UNSECURED</b>		<b>Amount**</b>					
DMI= None(\$0)		None(\$0)					
<b>PROPOSED CHAPTER 13 PLAN PAYMENT</b>							
\$ <b>\$2,527</b>		per month for		<b>60</b>		months, then	
\$ <b>N/A</b>		per month for		<b>N/A</b>		months.	
Adequate Protection Payment Period:				<b>1.70</b> months.			
Sch D # = The number of the secured debt as listed on Schedule D.							
Adequate Protection = Monthly 'Adequate Protection' payment amt.							
† = May include up to 2 post-petition payments.							
* Co-sign protect on all debts so designated on the filed schedules.							
** = Greater of DMI x ACP or EAE (Page 4 of 4)							
Ch13Plan_MD_(DeSardi Version 1/12/10) © LOJTO							
<b>Other Miscellaneous Provisions</b>							
Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate							

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum

Kaelyn McCollum

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Child Support Enforcement  
Post Office Box 20800  
Raleigh, NC 27619-0800

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

Allied Interstate  
Post Office Box 1962  
Southgate, MI 48195-1962

Coastal Federal Credit Union \*\*  
Post Office Box 58429  
Raleigh, NC 27658-8429

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Ally  
Attn: Managing Agent  
Post Office Box 380901  
Minneapolis, MN 55438

CrediSolve  
PO Box 48439  
Minneapolis, MN 55448

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

AMO Recoveries  
Post Office Box 170800  
Milwaukee, WI 53217-8065

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Bank of America  
Post Office Box 15026  
Wilmington, DE 19850-5026

Dell Financial Services  
c/o DFS Customer Care Dept.  
Post Office Box 81577  
Austin, TX 78708-1577

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Blackman & Sloop  
1414 Raleigh Road, Suite 300  
Chapel Hill, NC 27517

Diatome US  
PO Box 410  
Hatfield, PA 19440

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

BP  
c/o Chase  
Post Office Box 15298  
Wilmington, DE 19850-5298

Discover Card\*\*\*  
Post Office Box 30943  
Salt Lake City, UT 84130

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Brock & Scott PLLC \*\*  
5431 Oleander Drive  
Suite 200  
Wilmington, NC 28403-5835

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Capital One \*\*\*  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

Duvera Finacial  
POBox 2549  
Carlsbad, CA 92018

Duvera Financial  
5620 Paseo Del Norte #127-233  
Carlsbad, CA 92008

Heavner Furniture  
Post Office Box 2346  
Smithfield, NC 27577

Olympus America  
Financial Services Dept 3500  
Corporate Parkway  
Center Valley, PA 18034

EBSciences  
29 Kripes Road, Suite B  
East Granby, CT 06026

Identity Theft Clearinghouse  
Federal Trade Commision  
600 Pennsylvania Avenue NW  
Washington, DC 20580

Olympus Financial Services  
PO Box 200183  
Pittsburgh, PA 15251

Edgecombe County Tax Collector  
Post Office Box 10  
Tarboro, NC 27886-0010

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

One Click Cash  
c/o Internet Cash Avance Marketir  
2000-1066 West Hastings Street  
Vancouver, B.C. V6E 3X2

FIA Bankcard Services  
Post Office Box 15184  
Wilmington, DE 19850-5184

Ladco Leasing  
555 St. Charles Drive, Ste 200  
Thousand Oaks, CA 91360

One Click Cash  
52946 Highway 12, Ste 3  
Niobrara, NE 68760

Frances G. Marshall  
8203 Hwy 56  
Louisburg, NC 27549

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Publishers Clearing House  
Post Office Box 26302  
Lehigh Valley, PA 18002-6302

GEMB/Care Credit  
Post Office Box 103104  
Roswell, GA 30076

Lee County Revenue Commissioner  
215 South 9th Street  
Opelika, AL 36801

Quest Diagnostics  
Post Office Box 3010  
Southeastern, PA 19398-3010

GEMB/Lowe's  
Post Office Box 103104  
Roswell, GA 30076

Macy's \*\*  
Bankruptcy Processing  
P.O. Box 8053  
Mason, OH 45040

Randy & Mary Sue Collier  
PO Box 463  
Greenville, NC 27835

GMAC  
Post Office Box 380902  
Minneapolis, MN 55438

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Reader's Digest  
Post Office Box 9025  
Buffalo, NY 14269-9025

Green Tree  
Attn: Managing Agent  
Manufactured Housing  
Post Office Box 6172  
Rapid City, SD 57709-6172

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Rex Healthcare  
4420 Lake Boone Trail  
Raleigh, NC 27607

SemTech Solutions, Inc.  
6 Executive Park Drive  
North Billerica, MA 01862

Wells Fargo Mortgage  
Attn: Managing Agent  
PO Box 10335  
Des Moines, IA 50306

Shell Card Center \*\*  
P.O. Box 6406  
Sioux Falls, SD 57117-6406

WF EFS  
PO Box 13667  
Sacramento, CA 95853-3667

Star Cash Processing  
Address Unknown

State of North Carolina  
Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

SunTrust  
Recovery Department  
Post Office Box 85041  
Richmond, VA 23285-5041

Target  
c/o Target Credit Services  
Post Office Box 1581  
Minneapolis, MN 55440-1581

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

US Dept of ED  
PO Box 7202  
Utica, NY 13504

VWR International  
PO Box 2078  
West Chester, PA 19380